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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/621,975 07/21/00 MONTENA

N 8958-0026

EXAMINER

MM91/0504

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ART UNIT

PAPER NUMBER

2833

DATE MAILED:

05/04/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/621,975

Applicant(s)
Montena

Examiner
Renee S. Luebke

Art Unit
2833



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-14 is/are pending in the application.
- 4a) Of the above, claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jul 21, 2000 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

1. The drawings are objected to because:
 - a. in Fig. 1, the lead line for 20 does not indicate the insulator core,
 - b. shoulder 48 and groove 50 are not properly indicated in Figs. 1 and 5, as suggested on page 9, line 15,
 - c. Fig. 5 does not show braid 16 folded back as stated on page 10, line 25, etc.,
 - d. Figs. 7 and 10 do not consistently show fastener 128, and
 - e. in Fig. 14, "250" does not indicate a groove as required.

Proposed drawing corrections are required in response to this Office action.

2. Claims 2-14 are objected to because on line 1 of each of claims 2, 3 and 10-14, it appears that "the end" should be -an end-. Appropriate correction is required.
3. Claims 3, 5, 7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3, 5, 7 and 9 are substantially the same as claims 2, 4, 6 and 8, respectively. The only differences are semantic. The duplicate set fails to distinctly claim the subject matter and will not be allowed in view of the first set.
4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
5. Claim 12 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application

was filed, had possession of the claimed invention. In particular, although the present invention comprises a corrugated surface portion 146, it is not formed to facilitate radial movement of the sleeve. The specification specifically indicates (page 12, lines 14) that these corrugations are to reduce the driving force needed for the fastener. In addition, the corrugations (or serrations) 144 are for the purpose of providing an environmental seal (page 12, lines 3-6). There is no teaching that corrugations be used "to facilitate radial movement of said cylindrical sleeve" as required by claim 12.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 3, 8-11, 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Holliday '220 (see Fig. 4). The connector of Holliday is for coupling the end of a coaxial cable C1 having a center conductor 22, a dielectric, a grounding sheath and an outer protective jacket. The connector comprises a tubular post 69 with a first end 71 inserted into the end of the cable, and an opposed second end 70; a nut 74 rotatable engaging the second end of the post and an opposed end with internal threads 78; a cylindrical body member 60 with a sleeve 62; and a compression ring 18' including an inwardly tapered annular wall. The tapered wall causes the rear end portion of the

sleeve to deform inwardly as the compression ring is advanced over the body. In regard to claims 8 and 9, the connector body 60 has a shoulder 64 between the first and second ends that stops the first end of the compression ring. In regard to claim 10, the thinner section to the right of rib 38 (see Fig. 1 for reference numeral 38) is seen to be a relief that facilitates bending of the sleeve. In regard to claim 11, the sleeve is seen to have a tapered section (to the left of leftmost thread 66) to facilitate bending. In regard to claims 13 and 14, the threads 66 are seen to be a series of grooves (or a corrugated surface portion) formed on the outer wall of the body to reduce the driving force.

9. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holliday '220 in view of Szegda '257. Holliday does not indicate the position of the compression ring prior to installation of the cable. However, Szegda teaches that a ring 26 be attached to the body 22 prior to insertion of the cable. Such an arrangement prevents components from getting dropped or lost prior to and during assembly. For the same reason, it would have been obvious to mount the compression ring on the body of Holliday as taught by Szegda. In regard to claims 6 and 7, it is noted that Szegda teaches that a threaded connection is merely an alternative to other connections types that comprise releasable connections that separate upon axial advancement of the compression ring. The threads are used when hand assembly is intended and the other embodiments are intended for situations when a compression tool is available. To offer the same alternative assembly methods, it would have been obvious to use a compression ring with a releasable connection as taught by Szegda on the device of Holliday.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The connector of Nepovim comprises a cylindrical body that has a sleeve that is compressed by a compression ring to hold a coaxial cable. The connectors

of Holliday '913 and Holliday, et al. '197 comprise fasteners that crimp the body sleeves and are retained thereon prior to assembly. However, the effective filing dates of these applications are later than that of the present application. In regard to Holliday '913, it is noted that this is a continuation-in-part and that the relevant features are not found in the earlier patent.


11. **Any response to this action may be mailed to:**
Assistant Commissioner for Patents
Washington, DC 20231

or faxed to:
(703) 308-7722 or 308-7724 or 308-7328
(informal or draft communications should be clearly labeled "PROPOSED"
or "DRAFT")

Hand-delivered responses should be brought to:
Crystal Plaza 4, Fourth Floor (Receptionist)
2201 South Clark Place, Arlington, Virginia.

12. Any inquiry concerning this communication from the examiner should be directed to Mrs. Renee Luebke whose telephone number is (703) 308-1511.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (703) 308-2319.


Renee S. Luebke
Primary Patent Examiner
April 30, 2001


Stewart J. Levy, Director
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